



RECEIPT #5

PATENT
ATTORNEY DOCKET NO. 06132/011002

25

Certificate of Mailing: Date of Deposit: February 27, 2002

I hereby certify under 37 C.F.R. § 1.8(a) that this correspondence is being deposited with the United States Postal Service as **first class mail** with sufficient postage on the date indicated above and is addressed to the Office of Initial Patent Examination's Customer Service Center, Assistant Commissioner for Patents, Washington, D.C. 20231.

Susan M. Barry

Printed name of person mailing correspondence

Signature of person mailing correspondence

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Pierre Michetti et al.

Art Unit: 1653

Serial No.: 09/955,739

Examiner: Not Yet Assigned

Filed: September 18, 2001

Customer No.: 21559

Title: Urease-based Vaccine and Treatment for Helicobacter Infection

Office of Initial Patent Examination's
Customer Service Center
Assistant Commissioner for Patents
Washington, D.C. 20231

PETITION TO CORRECT FILING RECEIPT

Applicant requests that the attached filing receipt be corrected as follows:

Under Applicant(s):

Please add Rivaz, Switzerland as the residence of applicant Jean-Pierre Kraehenbuhl. Also, for applicant Rainer Haas please correct the spelling of the city from Tubiugen, Germany to --Tübingen, Germany--.

Attached are copies of the incorrect filing receipt and executed Combined Declaration and Power of Attorney to note the correct applicant information.

If there are any charges or any credits, please apply them to Deposit Account

No. 03-2095.

Respectfully submitted,

Date: February 27, 2002

Susan M. Michaud

Susan M. Michaud, Ph.D.

Reg. No. 42,885

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Boston, MA 02110

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06132.011002 Petition to Correct Official Filing Receipt.wpd



21559

PATENT TRADEMARK OFFICE



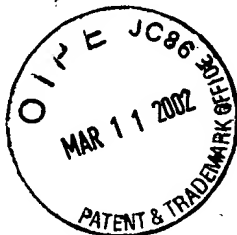
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WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/955,739	09/18/2001	1653	0.00	06132/011002	6	19	1

21559
CLARK & ELBING LLP
176 FEDERAL STREET
BOSTON, MA 02110-2214



CONFIRMATION NO. 9451

FILING RECEIPT



OC000000007050702

Date Mailed: 11/09/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Pierre Michetti, Lausanne, SWITZERLAND;
Irene Corthesy-Theulaz, Lausanne, SWITZERLAND;
Andre Blum, Romammotier, SWITZERLAND;
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Jean-Pierre Kraehenbuhl, ~~Residence Not Provided~~; *Rivaz, Switzerland*
Emilia Saraga, Lausanne, SWITZERLAND;

Domestic Priority data as claimed by applicant

THIS APPLICATION IS A CON OF 08/200,346 02/23/1994 PAT 6,290,962
WHICH IS A CIP OF 08/085,938 07/06/1993 PAT 5,972,336
WHICH IS A CIP OF 07/970,996 11/03/1992 ABN

Foreign Applications

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No

Title

Urease-based vaccine and treatment for helicobacter infection

Preliminary Class
424



**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

COPY

As a below-named inventor, I hereby declare that:

TYPE OF DECLARATION

This declaration is of the following type: {check one applicable item below}

 X Original Design Supplemental

NOTE: If the declaration is for an International Application being filed as a divisional, continuation or continuation-in-part application do not check next item; check appropriate one of last three items.

 National Stage of PCT

NOTE: If one of the following 3 items apply, then complete and also attach ADDED PAGES FOR DIVISIONAL, CONTINUATION OR CIP.

 Divisional Continuation X Continuation-in-part (CIP)

INVENTORSHIP IDENTIFICATION

My residence, post office address and citizenship are as stated below next to my name, I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

TITLE OF INVENTION

Urease-Based Vaccine and Treatment for
Helicobacter Infection

SPECIFICATION IDENTIFICATION

the specification of which:

- (a) X is attached hereto.
- (b) was filed on as *Serial No. 0 / ;
or Express Mail No., as Serial No. not yet known, and was
amended on (if applicable).
- (c) was described and claimed in PCT International Application No. filed on
 and as amended under PCT Article 19 on (if any).

ACKNOWLEDGEMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

 In compliance with this duty, there is attached an information disclosure statement.
37 CFR 1.97.

application(s) for patent or inventor's certificate or or any PCT international application(s) designating at least one country other than the United States of America listed below and also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

(d) X No such applications have been filed.

(e) Such applications have been filed as follows.

NOTE: Where item (c) is entered above and the International Application which designated the U.S. claimed priority, check item (e), enter the details below and make the priority claim.

**EARLIEST FOREIGN APPLICATIONS, IF ANY FILED WITHIN 12 MONTHS
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION**

COUNTRY	APPLICATION NUMBER	DATE OF FILING (month, day, year)	PRIORITY CLAIMED UNDER 37 USC 119	
			YES	NO

**ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION**

POWER OF ATTORNEY

As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

The registered attorneys listed below and members of or associates in the law firm of LYON & LYON, 611 West Sixth Street, 34th Floor, Los Angeles, California 90017, Registration No. 11,611, whose members are all admitted to the Bar of the State of California:

Roland N. Smoot	Reg. 18,718	Richard E. Lyon, Jr.	Reg. 26,300	Roy L. Anderson	Reg. 30,240
Conrad R. Solum, Jr.	Reg. 20,467	John D. McConaghy	Reg. 26,733	David B. Murphy	Reg. 31,125
James W. Geriak	Reg. 20,233	William C. Steffin	Reg. 26,811	Bradford J. Duft	Reg. 32,219
Robert M. Taylor, Jr.	Reg. 19,848	Coe A. Bloomberg	Reg. 26,605	James C. Brooks	Reg. 29,898
Samuel B. Stone	Reg. 19,297	J. Donald McCarthy	Reg. 25,119	Jeffrey M. Olson	Reg. 30,790
Douglas E. Olson	Reg. 22,798	John M. Benassi	Reg. 27,483	and	
Robert E. Lyon	Reg. 24,171	James J. Shalek	Reg. 29,749		
James J. Short	Reg. 25,922	Allan W. Jansen	Reg. 29,035		
Robert C. Weiss	Reg. 24,939	Robert W. Dickerson	Reg. 29,914		
William E. Thomson, Jr.	Reg. 20,719	Kenneth D'Alessandro	Reg. 29,144		

XXXXXXXXXXXXXXXXXXXXXXX

Reg. No. XXXXXXXXXXXXXXX

{check the following item, if applicable}

 Attached as part of this declaration and power of attorney is the authorization of the above-named attorney(s) to accept and follow instructions from my representative(s).

Address all future communications to:

LYON & LYON
611 West Sixth Street, 34th Floor
Los Angeles, California 90017
(213) 489-1600

Attention: Coe A. Bloomberg

Knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application for any patent issued thereon.

SIGNATURE(S)

Full name of sole or first inventor Pierre Michetti

Inventor's signature 

Date Feb 19th, 1994

Country of Citizenship _____

Residence Avenue D'Ouchy 25

Post Office Address CH-1006 Lausanne

Switzerland

Full name of second joint inventor, if any Irène Corthesy-Theulaz

Inventor's signature _____

Date _____

Country of Citizenship _____

Residence _____

Post Office Address _____

X Continued on added page for Inventor's Data.

CHECK BELOW IF ANY OF THE FOLLOWING ADDED PAGE(S) FORM A PART OF THIS DECLARATION

____ Signature for third and subsequent joint inventors. Number of pages added ____.

____ Signature by administrator(trix), executor(trix) or legal representative for deceased or incapacitated inventor. Number of pages added ____.

____ Signature for inventor who refuses to sign or cannot be reached by person authorized under 37 CFR 1.47. Number of pages added ____.

* * *

X Added pages to Combined Declaration and Power of Attorney FOR DIVISIONAL, CONTINUATION OR CONTINUATION-IN-PART (CIP) APPLICATION. Number of pages added 1.

* * *

____ Authorization of attorney(s) to accept and follow instructions from representative. Number of pages added ____.

* * *

If no further pages form a part of this Declaration, then end this Declaration with this page and check the following item:

 This Declaration ends with this page.

ADDED PAGE TO COMBINED DECLARATION AND POWER OF ATTORNEY
FOR SIGNATURE BY THIRD AND SUBSEQUENT INVENTORS

Full name of third joint inventor, if any André Blum

Inventor's signature [Signature]

Date 17.2.94

Country of Citizenship Switzerland

Residence Vers le Collège

Post Office Address CH 1323 Romanel-sur-Lodon VD

Full name of fourth joint inventor, if any Catherine Davin

Inventor's signature [Signature]

Date 17.2.94

Country of Citizenship FRANCE

Residence Ruelle de Moulines 7

Post Office Address 1260 Nyon VD

Full name of fifth joint inventor, if any Rainer Haas

Inventor's signature [Signature]

Date 17.2.94

Country of Citizenship GERMAN

Residence Charlottenstr. 21

Post Office Address 72070 Tübingen

Full name of sixth joint inventor, if any Jean-Pierre Kraehenbu

Inventor's signature [Signature]

Date 11/2/94

Country of Citizenship Swiss

Residence 1812 Riva 7

Post Office Address 1812 Riva 7

Full name of ^{seventh} joint inventor, if any Emilia Saraga

Inventor's signature [Signature]

Date 14.07.1994

Country of Citizenship Switzerland

Residence Lausanne, Et. av. du Temple, 1012

Post Office Address 1012 Lausanne

ADDED PAGE TO COMBINED DECLARATION AND POWER OF ATTORNEY
FOR DIVISIONAL, CONTINUATION OR CONTINUATION-IN-PART APPLICATION

CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S) UNDER 35 U.S.C. 120.

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a), which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application.

PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS
DESIGNATING THE U.S. FOR BENEFIT UNDER 35 USC 120:

U.S. APPLICATIONS

Application Nos.	Filing Date	STATUS		
		PATENTED	PENDING	ABANDONED
07/970,996	Nov. 3, 1992			
08/085,938	July 6, 1993		X	

PCT APPLICATIONS DESIGNATING THE U.S.

Application Nos.	Filing Date	U.S. Serial Nos. Assigned (if any)	STATUS		
			PATENTED	PENDING	ABANDONED

35 USC 119 PRIORITY CLAIM, IF ANY, FOR ABOVE LISTED U.S./PCT APPLICATIONS

ABOVE APPLICATION NUMBER	DETAILS OF FOREIGN APPLICATION FROM WHICH PRIORITY CLAIMED UNDER 35 USC 119		
	Country	Application Number	Date of Issue (day, month, year)
		Date of Filing (day, month, year)	